

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RENE GRIGGS

X

Case No.: 08 CV 0964 (LAK)

Plaintiff

ANSWER TO VERIFIED
AMENDED COMPLAINT

-against-

JURY DEMANDED

CABLEVISION SYSTEMS CORPORATION

Defendant:

X

Defendant, CABLEVISION SYSTEMS CORPORATION, by its attorneys, Tarshis & Hammerman LLP, answering the Verified Amended Complaint of the Plaintiff herein, upon information and belief, respectfully states as follows:

AS TO THE JURISDICTIONAL STATEMENT

FIRST: Denies having any knowledge or information sufficient to form a belief as to the truth of the allegations set forth in the paragraph of the Verified Amended Complaint designated "i".

SECOND: Admits the allegations as set forth in the paragraph of the Verified Amended Complaint designated "ii".

THIRD: Admits the allegations as set forth in the paragraph of the Verified Amended Complaint designated "iii".

FOURTH: Denies each and every allegation set forth in the paragraphs of the Verified Amended Complaint designated "iv" and respectfully refers all questions of law to the Court.

AS TO THE FIRST CAUSE OF ACTION

FIFTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "v".

SIXTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "vi".

SEVENTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "vii".

EIGHTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "viii".

NINTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "ix".

TENTH: Denies having any knowledge or information sufficient to form a belief as to the truth of the allegations set forth in the paragraph of the Verified Amended Complaint designated "x".

ELEVENTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "xi".

TWELFTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "xii".

THIRTEENTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "xiii".

FOURTEENTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "xiv".

FIFTEENTH: Denies each and every allegation set forth in the paragraph of the Verified Amended Complaint designated "xv".

SIXTEENTH: Denies each and every allegation set forth in the paragraphs of the Verified Amended Complaint designated "16", and respectfully refers all questions of law to the Court.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

SEVENTEENTH: This Court lacks personal jurisdiction over the person of this answering defendant.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

EIGHTEENTH: This answering Defendant asserts the affirmative defense of insufficiency of service of process because this answering Defendant has not been served in any manner and therefore, this Court lacks jurisdiction over the person of the answering Defendant.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

NINETEENTH: This answering Defendant alleges, upon information and belief, that whatever injuries were sustained by said plaintiff or whatever damages were sustained by said Plaintiff at the time and place alleged in the Verified Amended Complaint were the result of the culpable conduct of said Plaintiff and the answering Defendant pleads such culpable conduct in diminution of damages. If a verdict or judgment is

awarded to the Plaintiff, then and in that event the damages shall be reduced in the proportion which the culpable conduct attributable to the Plaintiff bears to the culpable conduct which caused the damages.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

TWENTIETH: In the event Plaintiff recovers a judgment or verdict against the answering Defendant, then said verdict or judgment must be reduced pursuant to CPLR §4545(c) by those amounts which have been, or will, with reasonable certainty, replace or indemnify Plaintiff, in whole or in part, for any past or future claimed economic loss from any collateral source.

DATED: Forest Hills, New York
March 3, 2008

Respectfully submitted,

TARSHIS & HAMMERMAN LLP
By: Roberta E. Tarshis, Of Counsel



Atorneys for Defendant
CABLEVISION SYSTEMS CORPORATION
118-35 Queens Boulevard
Forest Hills, New York 11375
(718) 793-5000

TO: Law Offices of Peter P. Traub
Attorneys for Plaintiff
107 Grand Street - 4th Fl.
New York, New York 10013

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
: ss.:
COUNTY OF QUEENS)

Deborah Kearns, being duly sworn, deposes and says

Deponent is not a party to this action, is over eighteen (18) years of age and resides in Port Jefferson Station, New York.

On March 3, 2008, deponent served the within

ANSWER TO VERIFIED AMENDED COMPLAINT

upon the attorneys listed below at the addresses designated by said attorneys for that purpose by depositing a true copy of same enclosed in a post-paid addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

LAW OFFICES of PETER P. TRAUB
Attorneys for Plaintiff
107 Grand Street - 4th Fl.
New York, New York 10013
(212)966-7442

Deborah Kearns
Deborah Kearns

Sworn to before me this
3rd day of March 2008

Deborah Kearns
NOTARY PUBLIC

ROBERTA E. TARGHIS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01TA4789767
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES JUNE 30, 2008

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